

**Filed 12/24/12 by Clerk of Supreme Court
IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2012 ND 262

State of North Dakota,

Plaintiff and Appellee

v.

Lowell Lee Baesler,

Defendant and Appellant

Nos. 20120295 & 20120296

Appeal from the District Court of Morton County, South Central Judicial District, the Honorable Gail H. Hagerty, Judge.

AFFIRMED.

Per Curiam.

Brian D. Grosinger, Assistant State's Attorney, 210 2nd Avenue NW, Mandan, ND 58554, for plaintiff and appellee; on brief.

Kent M. Morrow, 411 N. 4th Street, P.O. Box 2155, Bismarck, ND 58502-2155, for defendant and appellant; on brief.

State v. Baesler
Nos. 20120295 & 20120296

Per Curiam.

[¶1] Lowell Baesler appeals from a district court judgment entered after he conditionally pled guilty to possession of a controlled substance and possession of drug paraphernalia. On appeal, Baesler argues law enforcement did not have reasonable suspicion to detain him after the initial reason for the investigative stop ended; therefore, the drug dog's alert to narcotics could not be used to establish probable cause to search his vehicle. We summarily affirm under N.D.R.App.P. 35.1(a)(2).

[¶2] Gerald W. VandeWalle, C.J.
Carol Ronning Kapsner
Mary Muehlen Maring
Daniel J. Crothers
John C. McClintock, Jr., D.J.

[¶3] The Honorable John C. McClintock, Jr., D.J., sitting in place of Sandstrom, J., disqualified.